

FIRST REGULAR SESSION

HOUSE BILL NO. 469

92ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES SMITH (118), HUNTER, QUINN, SUTHERLAND,
SCHLOTTACH (Co-sponsors) AND SMITH (14).

Read 1st time February 13, 2003, and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

1559L.011

AN ACT

To repeal section 138.420, RSMo, and to enact in lieu thereof one new section relating to the power of original assessment of the State Tax Commission.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 138.420, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 138.420, to read as follows:

138.420. 1. The state tax commission shall have the exclusive power of original assessment of the distributable property of railroads, railroad cars, rolling stock, street railroads, bridges, telegraph, telephone, electric power and light companies, electric transmission lines, pipeline companies, express companies, and other similar public utility corporations, companies and firms, [and] of the aircraft of airlines companies in a manner not inconsistent with chapter 155, RSMo, **and of cellular towers. For purposes of this section, "cellular tower" means a tower or similar structure, and the equipment attached to or located on the tower, constructed or adapted for the location of transmission or related equipment to be used to provide cellular telecommunications services or personal communications. Cellular tower does not include television or radio towers, or structures used by amateur radio operators. The state tax commission shall assess cellular towers and equipment as real property and certify the assessed value of such property to the appropriate county based upon the situs of the towers.**

2. After original assessments of the state tax commission have been completed, each corporation, person or public utility interested therein shall be promptly notified of the action of

EXPLANATION — Matter enclosed in bold faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law. Matter in boldface type in the above law is new proposed language.

16 the state tax commission and shall have the right to apply for a rehearing. The state tax
17 commission shall grant and hold such rehearing and fix the date thereof.

18 3. If, after such rehearing and a consideration of the facts, the state tax commission shall
19 be of the opinion that the original decision or any part thereof should be changed, the state tax
20 commission may change or modify the same and such assessed valuations as are finally
21 determined shall be certified to the clerks of the several county commissions and to the assessor
22 in St. Louis City at the same time that valuations of real and tangible personal property are
23 returned.

24 4. The state tax commission shall also have all power of original assessment of real and
25 tangible personal property in the possession of any assessing officer on January first.